

**Minutes of the Resumed Annual Meeting of the Llanedi Community Council held on  
Wednesday, 19<sup>th</sup> May 2016 at Tycroes Village Hall**

**Minute no. 1 – Members Present**

**Councillors:**  
A J Blackley  
W A Evans  
R B Evans  
Mrs B Thomas  
G B Thomas  
R C Roberts  
Mrs H M Funnell  
J L Griffiths  
Mrs T Higgins  
M Nicholas  
G I Davies  
M A B Davies

Chairman Councillor G Thomas presided over the meeting
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**Minute no. 2 - Apologies for Absence**

Apologies for their absence from the meeting were received from Councillors S L Janes, J T Jones and C Higgins.

**Minute no. 3 – Declarations of Interest**

Declarations of interest were received from Councillor A Blackley regarding agenda item 16. Councillor G Thomas declared an interest in agenda item 12 on planning and any matter with regard to Carmarthenshire CC.

**Minute no. 4 - To receive Chairman's announcements**

There were no announcements from the chairman.

**Minute no. 5 - To receive questions from members of the public**

There were no questions from the public.

**Minute no. 6 - To receive a report on deficiencies in financial governance as provided by the Council's External Auditor BDO**

The Council received members of the public and the press for an open session to discuss the recommendations in the report on audit as received from the Council's external auditor BDO for the 2014-15 financial year.

The clerk reported that the following recommendations as received from BDO need to be considered by the Council and the Council must decide:

- Whether the recommendations within the report are to be accepted; and
- What action (if any) to take in response to the recommendations.

The following recommendations were taken in turn with the Chairman reading out the recommendation and the Clerk providing a response for the consideration of the meeting. Members of the public and the press were also given an opportunity to ask any questions with regard to the specific recommendations.

R1 The Council should review the nature and quality of the accounting records, including the cashbook, payroll records and VAT records, and ensure that these are fit for purpose and are kept up to date and complete. The Council must also ensure they retain records.

This recommendation is accepted by the Council. The Council has installed a computer based accounting package in a format as recommended by One Voice Wales. The Council has commissioned a new Internal Auditor to review the systems of the Council and he has reported that the Council is fully compliant with this recommendation. No further action is required.

Mr Wayne Erasmus asked a question with regard to the current position of the Council's VAT claims. The Clerk confirmed that the claims for vat to Revenue and Customs are up to date.

R2 The Council should ensure that the budget is set and approved correctly on an annual basis and establish arrangements to receive reports of detailed financial information setting out the Council's financial position on a regular basis.

This recommendation is accepted by the Council. The Council's budget for the last financial year was amended and upgraded in line with the introduction of the new computer system. The budget for the current year was set and approved correctly. The Council receives a detailed financial report on a monthly basis from the clerk. No further action is required. Mr Emyr John enquired whether a copy of the Finance Report is available at meetings. This was confirmed by the Clerk.

R3 The Council must establish proper arrangements for internal audit in order to comply with the Accounts and Audit (Wales) Regulations 2014.

This recommendation is accepted by the Council. As mentioned above, a new Internal Auditor has been formally appointed in order to comply with the Accounts and Audit (Wales) Regulations 2014. No further action is required.

Mr Wayne Erasmus stated that in his opinion the 39% increase in the precept is illegal. The Clerk confirmed that the Council had properly considered its required budget for the year and set the precept accordingly.

R4 The Council must ensure that it meets with, and reviews the work undertaken by, internal audit each year.

This recommendation is accepted by the Council. The Council has already met with and completed a review of the work undertaken by the Internal Auditor.

R5 The Council must ensure that it complies with the requirements of the Accounts and Audit (Wales) Regulations 2014 when preparing and approving its annual accounts.

This recommendation is accepted by the Council. It is confirmed that the Council will comply with the requirements of the Accounts and Audit (Wales) Regulations 2014 in preparation of the current financial accounts. No further action is required.

R7 The Council must ensure it undertakes a review of its internal controls which include risk management on an annual basis.

This recommendation is accepted by the Council. The Council has produced a detailed risk assessment schedule which was further reviewed by the Finance Committee at its March meeting.

R8 The Council must ensure it updates asset register and reviews this on an annual basis to ensure it is up to date and complete.

This recommendation is accepted by the Council. It is confirmed that the asset register will be updated further in readiness for the 2015-16 end of year accounts. No further action is required.

R9 The Council must ensure reviews its VAT on a regular basis and ensures claims are made in a timely manner.

This recommendation is accepted by the Council. The Council has completed VAT return up to end of the financial year and will continue to make claims on a quarterly basis as appropriate. No further action is required.

R10 The Council must review and update its Financial Regulations and standing orders, to ensure they are in accordance with current practice and also to ensure they are fit for purpose.

This recommendation is accepted by the Council. The Council's Financial Regulations were reviewed in February and amendments adopted. The Council has recently received some further recommendations in relation to amendment of the model financial regulations from One Voice Wales and these will be considered at the May meeting of the Council. The Council's Standing Orders were reviewed in the March meeting of the Finance Committee. The Council has resolved to review these documents on an annual basis or when specific advice is provided on recommended changes. No further action is required.

R11 The Council must ensure it maintains its minutes in accordance with the Local Government Act 1972.

This recommendation is accepted by the Council. All current minutes are maintained in accordance with the Act. No further action is required.

Mr Thomas enquired as to whether the minutes are updated monthly on the Council's website. This was confirmed by the Clerk.

R12 The Council must ensure that when resolutions are made these are followed up to ensure action has been taken appropriately.

This recommendation is accepted by the Council. Since the enquiry into the previous clerk's performance and his subsequent resignation, the Chairman of the Council is liaising with the

clerk on a monthly basis to ensure that all resolutions are fully complied with. The clerk also provides reports to the Council where appropriate in relation to actions taken. No further action is required.

R13 The RFO and Councillors must ensure it reviews and invoices and initials these as part of the payment approval process, ensuring that the VAT has been correctly recorded also.

This recommendation is accepted by the Council. All payments are reviewed monthly in accordance with financial regulations. No further action is required.

R14 The Council must ensure it abides by its financial regulations when awarding contracts or works to individuals.

This recommendation is accepted by the Council. The practice of awarding contracts to individuals was reviewed by a meeting of the Finance Committee in March to ensure compliance with the Financial Regulations. The Council will also be seeking the advice of the Internal Auditor on the matter.

Mr Wayne Erasmus requested details of the names of councillors sitting on the Finance Committee. The Clerk reported that as the meeting is a resumed annual meeting of the Council then the names of councillors who will sit on the Finance Committee will be considered later on in the meeting.

R15 The Council must review its insurance policy and ensure it has adequate fidelity guarantee cover.

This recommendation is accepted by the Council. The Council has reviewed its insurance policy during the year and has increased its fidelity guarantee cover to £500,000. No further action is required.

R16 The Council must ensure that if the running of the MUGA is to be undertaken by volunteers that an agreement is in place.

It is considered inappropriate to enter an agreement with volunteers for the type of work being carried out on behalf of the Council. The Council will seek further advice from the Internal Auditor on this matter.

Mr Wayne Erasmus enquired as to why the Service Level Agreement with the Hendy Parks Committee was not exchanged between the 2 parties. Cllr Alan Evans reported that he was in the chair at this period and the Council was not happy with the relationship between the Council and the Parks Committee and therefore did not proceed with the agreement. Cllr Evans also provided an indication of where some expenditure had occurred at Hendy Park in both funding and subsequently making good defects occurring in relation to the construction of a footpath which was organised by the Parks Committee.

R17 The Council must ensure that they operate a unique sign into the HMRC Payroll system and the payroll number for the community council is only used to record the community council payments and is not used by other community councils.

The HMRC Payroll system has been transferred to the newly appointed clerk. It is confirmed that the payroll number for the community council is only used to record the payments for Llanedi Community Council. No further action is required.

R18 The council must ensure proper safeguards are in place for the approval of payments. If online banking is to be used, the system must allow for councillor authorisation of the payment on the online system before a payment is made. Procedures for payments must be updated in the Financial Regulations to include adequate control procedures.

This recommendation is accepted by the Council. The Council has terminated the arrangement of on line banking. The policy and procedure for any on line banking will be reviewed by the Council prior to the system being reintroduced. The Financial Regulations have been recently reviewed. No further action is required.

R19 The council must ensure that all debtors are included in the accounts for all income due to the council.

This recommendation is accepted by the Council. The accounts for the current year will reflect this recommendation.

R20 Payments should be made as soon as they are authorised by the council and the council should ensure they are relying on the correct power before any payments are made.

This recommendation is accepted by the Council. Payments are currently being processed as soon as possible after approval by the Council. No further action is required.

After a heated exchange with the Chairman, Mr Wayne Erasmus left the meeting.

The Clerk informed the meeting that the decisions as contained above would be forwarded to the auditor BDO and thereafter an agreed summary of actions taken will be provided to the press.

Mr Mike Basset reported that he had assisted the community to raise money for the Lido at a time when the community was campaigning for retention of the pool. It was confirmed that the previous clerk had provided a breakdown of the expenditure over recent years at the park which represented monies provided to the Council by the Hendy Pool Committee at a point that the campaign for the retention of the pool was terminated.

The Council noted receipt of the notice of conclusion of audit as provided by the external auditor BDO.

### **Minute no. 7 – Nominations to serve on Council Committees**

The following Councillors were nominated onto the following committees.

#### Finance Committee

Cllrs M Nicholas, B Evans, A Evans, G Thomas, M Davies.

#### Audit/Risk Management Committee

Cllrs G Thomas, Mrs T Higgins, C Higgins, Mrs H Funnell.

#### Personnel Committee

Cllrs G Thomas, B Evans, Mrs T Higgins, R Roberts, Mrs B Thomas, M Davies, C Higgins and Mrs H Funnell.

### Appeals Committee

Cllrs M Nicholas, A J Blackley, A Evans, JT Jones, JL Griffiths, I Davies and S Lloyd Janes.

### School Governors

Llanedi Primary School - Cllr R Roberts  
Hendy Primary School - Cllr A Evans  
Tycroes Primary School - Cllr Mrs T Higgins.

### **Minute no. 8 – Setting dates, times and place of ordinary meetings of full Council and sub committees for the year ahead**

Resolved that the Council meetings will be held on the first Wednesday of every month with the exception of August.

Resolved that the Audit and Risk Management Committee will be held on the third Thursday of the month twice a year.

Resolved that the Finance Committee will be held on the third Thursday of the month twice a year.

### **Minute no. 9 – Signing of the Minutes – April 6th Meeting of the Council.**

**Resolved that** the minutes of the above meeting, having been previously circulated, be accepted as read, confirmed and signed as a true and legal record of the matters transacted.

**Reason** – to adhere to the requirements of the Local Government Act 1972  
Sch 12, para 41 (1) and (4) and section 99.

### **Minute no. 10 – Signing of the Minutes – May 11<sup>th</sup> Meeting of the Council.**

**Resolved that** the minutes of the above meeting, having been previously circulated, be accepted as read, confirmed and signed as a true and legal record of the matters transacted subject to an amendment of minute 22.

**Reason** – to adhere to the requirements of the Local Government Act 1972  
Sch 12, para 41 (1) and (4) and section 99.

### **Minute no. 11 – Land Use Planning – Town and Country Planning Act**

#### **(a) Proposed Development**

**Resolved that** the following applications be noted onto the minutes.

**Reason:** Members did not request that observations/objections be conveyed to the County Planning Authority in respect of the proposed developments.

S/33670 Part first floor/two storey side extension and conversion of integral garage at 150 Squirrel Walk, Hendy. Mrs Jan Ripley.

S/33683 Extension to bungalow at 10 Derlyn Park, Ammanford. Mr Clive Jones.

*Councillor Gareth Thomas declared an interest in the next application and left the room – Cllr Mike Nicholas took the chair for this item.*

S/33727 Lambing shed (retrospective) at Goitrefach Farm, Goitre Fach Road, Pontardulais. Mr Ifan Beynon-Thomas.

#### **(b) Decision Notices Granted**

**Resolved that** the following applications be noted onto the minutes.

None received.

### **(c) Decision Notices Refused**

No applications were refused.

### **(e) Decision Notices Appealed**

No applications were appealed.

*(Councillor Gareth Thomas returned to the meeting and took the Chair)*

### **Minute no. 12 – Reports from Councillors representing outside bodies**

Cllr G Thomas reported that there will be a meeting in the next week to consider the future of Llanedi School and the condition of the adjacent schools in the community.

### **Minute no. 13 – Finance Reports**

The Council received a Finance Report consisting of the following elements:

- Report on proposed Expenditure

The Clerk answered questions raised by members with regard to the content of the report. It was **resolved** to approve the contents of the report.

### **Minute no. 14 – Report on proposed amendments to the Finance Regulations in line with an amended version of the Model Financial Regulations as received**

The Clerk provided an overview of a previously circulated report on the above recommended amendments. Resolved to approve the recommended amendments to the regulations.

### **Minute no. 15 – Wayne Erasmus complaint regarding code of conduct**

The clerk reported on 2 email complaints as received from Mr Wayne Erasmus. The Council considered the first complaint as received from Mr Erasmus in relation to the Council not recognising the Hendy Community and Parks Committee. It was noted that the Council has previously requested the Hendy Community and Parks Committee to confirm that the organisation was properly constituted and to date there has not been appropriate responses from Mr Erasmus or the Hendy Community and Parks Committee. It was therefore resolved to note the correspondence.

The Council considered a second email from Mr Erasmus in relation to a complaint regarding Cllr A Blackley's comments on a Facebook page. It was noted that there had been an arrangement made between Cllr A Blackley and Ms Ali Discombe with regard to the organising of bookings of the MUGA and therefore the comments on the screen shot as attached to the email were considered to be appropriate.

### **Minute no. 16 – Mr Owen Jones**

**Resolved that** a payment be made to Mr Owen Jones in line with a written agreement upon receipt of all available information from him.

### **Minute no. 17 – Financial Assistance**

It was **resolved** to offer the following organisations a donation in accordance with its powers under Section 137 of the LGA 1972, which in the opinion of the Council is in the interests of the area or its inhabitants and will benefit them in a manner commensurate with the expenditure:

- Hockey Tournament – Free use
- Carmarthenshire Citizen’s Advice Bureau - Request accounts

*(Cllr Mrs T Higgins and L Griffiths declared an interest in the above item and did not take part in any discussion on this item).*

- Pontarddulais and District Community Car Scheme - £100
- Pontarddulais, Hendy & District Festival Committee - £500
- Owain Funnell - Motor Neurone Disease Association - £200

Carnival Arrangements – **Resolved to** instruct the clerk to write to Pontarddulais and Hendy Festival Committee asking that the carnival is rotated between Pontarddulais and Hendy, with Hendy Park being an alternative venue.

### **Minute no. 18 – MUGA**

It was suggested that the Council considers providing a spring to the door of the MUGA. The Clerk was requested to investigate the potential for this to be installed.

### **Minute no. 19 – County Liaison Forum**

**Resolved that** Cllr M Nicholas and Cllr M Davies will attend the forum meeting on 24<sup>th</sup> May.

### **Minute no. 20 – Training Councillors Code of Conduct**

The Council received correspondence from the County Council with regard to the councillors’ attendance at Code of Conduct training. **Resolved that** Cllrs M Nicholas, I Davies and M Davies will attend the training on the 2<sup>nd</sup> of June and Cllrs G Thomas, B Evans, A J Blackley, A Evans, R Roberts and Mrs B Thomas will attend the training on the 16<sup>th</sup> June.

### **Minute no. 21 – Cllr Steve Lloyd- Janes**

The Council received a letter from Cllr Lloyd-Janes in relation to a gap in the hedge at the entrance to Hendy Park which is a danger to pedestrians exiting at this location.

**Resolved that** Cllr G Thomas will refer the matter to the County Council and will liaise with the Hendy Rugby Club on the matter.

### **Minute no. 22 – Cllr Steve Lloyd- Janes**

The Council received a letter from Cllr S Lloyd-Janes with a suggestion that it would be appropriate for flower seed to be planted where Persimmon have been completing some drainage works at the Hendy Park. **Resolved to** authorise the funding of the purchase of wild flower seed should this be required and proceed with the planting subject to the ground being suitable.



**Minute no. 23– Footpaths - Hendy**

It was noted that Cllr Blackley had received numerous complaints regarding a few public footpaths in the community. **Resolved that** the Clerk, the Chairman and Cllr A J Blackley meet to discuss the problems as identified at the paths.

**Minute no. 24 - General Correspondence**

**Resolved to** note the following general correspondence onto the minutes:-

<b>Writer</b>	<b>Subject</b>
One Voice Wales	Motions for 2016 AGM
One Voice Wales	Joint Seminar 22 <sup>nd</sup> June 2016

**Council Business terminated at 9.00 pm.**

**Signed .....** **Date .....**

**Chairman**